

**REMARKS**

Reconsideration and allowance of the subject application are respectfully requested. Claims 1-2, 7-8, and 17-38 are pending in the present application, claims 1, 7, 18, 24, 30, and 35 are independent, claims 3-6, 9-16, and 36 have been canceled, claims 1, 7, 17, 18, 24, 30, and 35 have been amended, and claims 37-38 have been added.

**Specification Rejection**

The Examiner has indicated that the application title is not descriptive, and that a new title is required that is clearly indicative of the invention to which the claims are directed (22 Feb. 2007, Office Action (OA), pg. 2). The current title is "INFORMATION PROCESSING DEVICE AND METHOD." This rejection is respectfully traversed.

Applicants direct the Examiner's attention to several claims, the preamble of which are listed as:

1. (currently amended) An information processing device included in an information processing apparatus and outputting guidance information for an operation performed for the information processing apparatus by a user, the information processing device comprising:...
7. (currently amended) An information processing device included in an information processing apparatus and outputting guidance information for troubleshooting of the information processing apparatus used by a user, the information processing device comprising:...
18. An information processing method for outputting guidance information for an operation performed for an information processing apparatus by a user, the information processing method comprising:...

The preamble of the cited claims clearly lists "an information processing device" or "an information processing method." Thus, the title "INFORMATION PROCESSING DEVICE AND METHOD" is clearly indicative of the invention to which the claims are directed. Thus, Applicants assert that no change to the title is necessary and request reconsideration and withdrawal of the specification rejection by the Examiner. If the Examiner maintains the rejection, Applicant request title suggestions from the Examiner.

### **35 USC § 101 Rejection**

The Examiner has rejected claim 35 under 35 U.S.C. § 101 because the claim recites a program per se and does not positively recite that the program is stored on a medium that can be read by a machine (OA, pg. 2). Applicants direct the Examiner's attention to amended claim 35, which states in part:

35. (currently amended) A program, stored on a medium that can be read by a machine, for causing a computer to output guidance information for an operation performed for an information processing apparatus by a user, the program comprising:...

Thus, claim 35 positively recites that "the program is stored on a medium that can be read by a machine."

In view of the above, the Applicant respectfully requests reconsideration and withdrawal of the rejection under 35 USC § 101.

### **Prior Art Rejections**

#### **1. Rejection under 35 U.S.C. § 102 (b) based on Mori**

Claims 1-4, 17-21, 34-35 stand rejected under 35 U.S.C. §102(b) as being anticipated by Mori (U.S. Patent No. 5,513,308, referred to as Mori). This rejection is respectfully traversed.

First Applicants direct the Examiner's attention to the cancellation of claims 3-4.

The Examiner alleges that Mori shows, suggests, or teaches all the elements of claims 1, 18 and 35 (OA, pg. 2).

Applicant respectfully directs the Examiner's attention to amended claims 1, 18, 30, and 35, which state in part:

...the operation history information comprises at least the number of times and time information of which the user has performed each operation...

...simple guidance information and detailed guidance information which is more detailed than the simple guidance information for a single operation...

... when the number of times the user has performed the operation is smaller than a first threshold or when the number of times the user has performed the operation is larger than the first threshold but the time difference between the current time information and the time information of the operation history is longer than a second threshold, the selection means selects the detailed guidance information, and

... when the number of times the user has performed the operation is larger than the first threshold and the time difference of the operation is shorter than the second threshold, the selection means selects the simple guidance information...

(amended claims 1, 18, 30, and 35)

The Examiner has failed to show where Mori shows, suggests, or teaches the feature of providing detailed guidance or simple guidance by using operation history information which are the number of times the operator has performed and the information of the time elapsed since the last operation.

For anticipation under 35 U.S.C. § 102 "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a

single prior art reference." Verdegaal Bros. v. Union Oil Co. of California 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987)(M.P.E.P. 2131). For reasons stated above Applicant asserts that all of the elements of amended claims 1, 18, and 35 fail to be set forth in the embodiment shown in Mori and, thus, Mori fails to anticipate amended claims 1, 18, 30, and 35.

Since claims 2, 17, 19-21, and 34 depend, either directly or indirectly, from amended claims 1, 18, and 30, claims 2, 17, 19-21, and 34 are allowable at least for the reasons generally expressed above with respect to amended claims 1, 18, and 30 with respect to Mori.

In view of the above, the Applicant respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. 102(b) based on Mori.

2. Rejection under 35 U.S.C. § 103 (a) based on Mori in view of Asch et al.

Claims 7-17 and 24-33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Mori in view of Asch et al. (U.S. Patent Pub. No. 2001/0033294; referred to as Asch). This rejection is respectfully traversed.

First Applicants direct the Examiner's attention to the cancellation of claims 9-16.

The Examiner alleges that Mori shows, suggests, or teaches all the elements of claim 7 and 24 except that the operation is a troubleshooting operation, and that Asch allegedly teaches the troubleshooting operation (Office Action, pg. 7).

Applicants direct the Examiner's attention to amended claims 7, 24, and 30, which state in part:

...the trouble history information comprises at least the number of times and time information of which the user has experienced each kind of trouble during the use of the information apparatus...

...simple guidance information and detailed guidance information which is more detailed than the simple guidance information for troubleshooting for a single kind of trouble...

...wherein, when the number of times the user has experienced the trouble is smaller than a first threshold or when the number of times the user has experienced the trouble is larger than the first threshold but the time difference between the current time information and the time information of the operation history is longer than a second threshold, the selection means selects the detailed guidance information, and wherein, when the number of times the user has experienced the trouble is larger than the first threshold and the time difference of the operation is shorter than the second threshold, the selection means selects the simple guidance information. (claims 7, 24, and 30)

Similar to the discussion above Mori at least fails to show, suggest, or teach the feature of providing detailed guidance or simple guidance by using trouble history information, which is the number of times and time information of which the user has experienced each kind of trouble during the use of the information apparatus.

Likewise, the Examiner has failed to show where Asch allegedly shows, suggests, or teaches the features of the pending claims not shown by Mori as discussed above.

To establish a *prima facie* case obviousness under 35 U.S.C. § 103, the Examiner has the burden of meeting the following three basic criteria: (1) the prior art must teach or suggest all of the claim limitations; (2) there must be a reasonable expectation of success; and (3) there must be some suggestion or motivation, either in the art or knowledge generally available to one of ordinary skill in the art to modify the reference or to combine teachings (M.P.E.P. § 2143)(emphasis added). Clearly from the discussion above the Examiner has failed to meet the burden of showing that Mori, even in combination with Asch

(although Applicant does not admit either reference is combinable), shows, suggests, or teaches all of the features of amended claims 7, 24, and 30.

Since claims 8, 17, 27-29, and 31-33 depend, either directly or indirectly, from amended claims 7, 24, and 30, claims 8, 17, 27-29, and 31-33 are allowable at least for the reasons generally expressed above with respect to amended claims 7, 24, and 30 with respect to Mori and Asch.

Accordingly Applicant respectfully requests reconsideration and withdrawal of the outstanding rejection of the claims under 35 U.S.C. § 103(a).

#### **NEW CLAIMS**

Applicants respectfully submit new claim 37, dependent on amended claim 1, and new claim 38, dependent on amended claim 17. Applicants assert that the new claims are allowable for the same reasons their base claims are allowable, and respectfully requests an indication of allowance by the Examiner.

## CONCLUSION

In view of the above amendments and remarks, the Applicant respectfully requests reconsideration and withdrawal of the formal objections and rejections to the claims, and the rejections based on prior art. Because all claims are believed to define over prior art of record, Applicants respectfully request an early indication of allowability.

If the Examiner has any questions concerning this application, the Examiner is requested to contact the undersigned at (949) 932-3316.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayments to Deposit Account No. 50-2456 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

## PETITION FOR EXTENSION OF TIME

Applicant respectfully petitions for a one (1) month extension of time, extending the period for response to the Office Action dated February 22, 2007 to June 22, 2007. Submitted herewith is a payment to cover the petition for one month extension of time for large entity.

If it should be determined that a longer extension of time is required to prevent this application from becoming abandoned, or that more fees are required for the requested amount of time, please charge payment to Deposit Account No. 50-2456.

Very truly yours,

Canon U.S.A. Inc.  
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